

(b) Use of proceeds to defray costs

(1) Notwithstanding section 3302 of title 31, the Secretary may retain from the proceeds of the sale, lease, or disposal of an asset under subsection (c) an amount equal to the cost of the sale, lease, or disposal of the asset. The Secretary shall utilize amounts retained under this paragraph to defray the cost of the sale, lease, or disposal.

(2) For purposes of paragraph (1), the cost of a sale, lease, or disposal shall include—

(A) the cost of administering the sale, lease, or disposal;

(B) the cost of recovering or preparing the asset concerned for the sale, lease, or disposal; and

(C) any other cost associated with the sale, lease, or disposal.

(c) Covered transactions

Subsection (b) applies to the following transactions:

(1) The sale of heavy water at the Savannah River Site, South Carolina, that is under the jurisdiction of the Defense Environmental Management Program.

(2) The sale of precious metals that are under the jurisdiction of the Defense Environmental Management Program.

(3) The lease of buildings and other facilities located at the Hanford Reservation, Washington, that are under the jurisdiction of the Defense Environmental Management Program.

(4) The lease of buildings and other facilities located at the Savannah River Site that are under the jurisdiction of the Defense Environmental Management Program.

(5) The disposal of equipment and other personal property located at the Rocky Flats Defense Environmental Technology Site, Colorado, that is under the jurisdiction of the Defense Environmental Management Program.

(6) The disposal of materials at the National Electronics Recycling Center, Oak Ridge, Tennessee that are under the jurisdiction of the Defense Environmental Management Program.

(d) Applicability of disposal authority

Nothing in this section shall be construed to limit the application of subchapter II of chapter 5 and section 549 of title 40 to the disposal of equipment and other personal property covered by this section.

(e) Report

Not later than January 31, 1999, the Secretary shall submit to the congressional defense committees a report on amounts retained by the Secretary under subsection (b) during fiscal year 1998.

(Pub. L. 107-314, div. D, title XLVIII, § 4833, formerly Pub. L. 105-85, div. C, title XXXI, § 3138, Nov. 18, 1997, 111 Stat. 2039; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4833, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(k)(13), Nov. 24, 2003, 117 Stat. 1786.)

CODIFICATION

Section was formerly set out as a note under section 7256 of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2003—Subsec. (d). Pub. L. 108-136, § 3141(k)(13)(D), substituted “subchapter II of chapter 5 and section 549 of title 40” for “sections 202 and 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483 and 484(j))”.

PART D—OTHER MATTERS

§ 2821. Semiannual reports on local impact assistance

The Secretary of Energy shall submit to Congress every six months a report setting forth a description of, and the amount or value of, all local impact assistance provided during the preceding six months under section 2704(c)(6) of this title.

(Pub. L. 107-314, div. D, title XLVIII, § 4851, formerly Pub. L. 105-85, div. C, title XXXI, § 3153(f), Nov. 18, 1997, 111 Stat. 2044; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4851, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(k)(15), Nov. 24, 2003, 117 Stat. 1786.)

CODIFICATION

Section was formerly set out as a note under section 7274h of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2003—Pub. L. 108-136, § 3141(k)(15)(C)(iii), substituted “section 2704(c)(6) of this title” for “section 3161(c)(6) of the National Defense Authorization Act of 1993 (42 U.S.C. 7274h(c)(6))”.

Pub. L. 108-136, § 3141(k)(15)(C)(i), (ii), inserted section catchline and directed striking subsec. heading “Semiannual reports to Congress of local impact assistance” which was executed by striking “Semiannual report to Congress of local impact assistance”, to reflect the probable intent of Congress.

§ 2822. Payment of costs of operation and maintenance of infrastructure at Nevada Test Site

Notwithstanding any other provision of law and effective as of September 30, 1996, the costs associated with operating and maintaining the infrastructure at the Nevada Test Site, Nevada, with respect to any activities initiated at the site after that date by the Department of Defense pursuant to a work-for-others agreement may be paid for from funds authorized to be appropriated to the Department of Energy for activities at the Nevada Test Site.

(Pub. L. 107-314, div. D, title XLVIII, § 4852, formerly Pub. L. 104-201, div. C, title XXXI, § 3144, Sept. 23, 1996, 110 Stat. 2838; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4852, by Pub. L. 108-136, div. C, title XXXI, § 3141(k)(16), Nov. 24, 2003, 117 Stat. 1786.)

CHAPTER 43—PREVENTING WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

Sec.
2901. Findings.
2902. Definitions.

SUBCHAPTER I—PROLIFERATION SECURITY INITIATIVE

2911. Proliferation Security Initiative improvements and authorities.

Sec.
2912. Authority to provide assistance to cooperative countries.

SUBCHAPTER II—ASSISTANCE TO ACCELERATE PROGRAMS TO PREVENT WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

2921. Statement of policy.
2922. Authorization of appropriations for the Department of Defense Cooperative Threat Reduction Program.
2923. Authorization of appropriations for the Department of Energy programs to prevent weapons of mass destruction proliferation and terrorism.

SUBCHAPTER III—OFFICE OF THE UNITED STATES COORDINATOR FOR THE PREVENTION OF WEAPONS OF MASS DESTRUCTION PROLIFERATION AND TERRORISM

2931. Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism.
2932. Sense of Congress on United States-Russia cooperation and coordination on the prevention of weapons of mass destruction proliferation and terrorism.

§ 2901. Findings

The 9/11 Commission has made the following recommendations:

(1) Strengthen “counter-proliferation” efforts

The United States should work with the international community to develop laws and an international legal regime with universal jurisdiction to enable any state in the world to capture, interdict, and prosecute smugglers of nuclear material.

(2) Expand the Proliferation Security Initiative

In carrying out the Proliferation Security Initiative, the United States should—

- (A) use intelligence and planning resources of the North Atlantic Treaty Organization (NATO) alliance;
- (B) make participation open to non-NATO countries; and
- (C) encourage Russia and the People’s Republic of China to participate.

(3) Support the Cooperative Threat Reduction program

The United States should expand, improve, increase resources for, and otherwise fully support the Cooperative Threat Reduction program.

(Pub. L. 110–53, title XVIII, § 1801, Aug. 3, 2007, 121 Stat. 491.)

§ 2902. Definitions

In this chapter:

(1) The terms “prevention of weapons of mass destruction proliferation and terrorism” and “prevention of WMD proliferation and terrorism” include activities under—

- (A) the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note);
- (B) the programs for which appropriations are authorized by section 3101(a)(2) of the Bob Stump National Defense Authorization

Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2729);

(C) programs authorized by section 5854 of title 22 and programs authorized by section 5902 of title 22; and

(D) a program of any agency of the Federal Government having a purpose similar to that of any of the programs identified in subparagraphs (A) through (C), as designated by the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism and the head of the agency.

(2) The terms “weapons of mass destruction” and “WMD” mean chemical, biological, and nuclear weapons, and chemical, biological, and nuclear materials used in the manufacture of such weapons.

(3) The term “items of proliferation concern” means—

(A) equipment, materials, or technology listed in—

- (i) the Trigger List of the Guidelines for Nuclear Transfers of the Nuclear Suppliers Group;
- (ii) the Annex of the Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology of the Nuclear Suppliers Group; or
- (iii) any of the Common Control Lists of the Australia Group; and

(B) any other sensitive items.

(Pub. L. 110–53, title XVIII, § 1802, Aug. 3, 2007, 121 Stat. 491.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title XVIII of Pub. L. 110–53, which enacted this chapter, amended section 402 of this title and sections 5952 and 5963 of Title 22, Foreign Relations and Intercourse, and amended provisions set out as notes under sections 2551 and 5952 of Title 22. For complete classification of title XVIII to the Code, see Tables.

Section 3101(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), referred to in par. (1)(B), is not classified to the Code.

SUBCHAPTER I—PROLIFERATION SECURITY INITIATIVE

§ 2911. Proliferation Security Initiative improvements and authorities

(a) Sense of Congress

It is the sense of Congress, consistent with the 9/11 Commission’s recommendations, that the President should strive to expand and strengthen the Proliferation Security Initiative (in this subchapter referred to as “PSI”) announced by the President on May 31, 2003, with a particular emphasis on the following:

(1) Issuing a presidential directive to the relevant United States Government agencies and departments that directs such agencies and departments to—

- (A) establish clear PSI authorities, responsibilities, and structures;
- (B) include in the budget request for each such agency or department for each fiscal